

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005
AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS)
ORDINANCE, 2007

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Change of use of agricultural land to domestic garden (382sqm). Demolish conservatory and pool house. Replace roof, install dormers and rooflight and reconstruct chimneys. Extend and alter at ground, first and second floor level to south (rear) elevation and alterations to fenestration. Install swimming pool and terrace area, re-grade land and install solar collectors.

LOCATION: Les Vallees, Les Petites Vallees, Castel.

APPLICANT: Mr & Mrs B Thomas

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

Date of Grant of Permission: 20/10/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 06/08/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: JGA 2060 02. 01, 02, 03, 04, 05, 06, 07 & 08.
Westbury Garden Rooms 1596- 01C, 02C, 03C, 04C & 05C.

Application Ref: FULL/2021/1508

Property Ref: D006230000

Conditions and reasons:-

1.All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2.The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3.The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

Expiry Date: This permission will cease to have effect on 19/10/2024 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Your attention is drawn to the Animal Welfare (Guernsey) Ordinance 2012 and the local Strategy for Nature and the need to comply with their provisions. The existing building may be used by bats or other wildlife for roosting and nesting. Measures may therefore need to be taken (including consideration of the timing of the works and provision to support wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted on 07781 166924 or email societe@cwgsy.net

Your attention is brought to the issue of avoidable light pollution and its effects on the natural environment and associated wildlife. The existing landscape is not currently subject to extensive artificial lighting and it is therefore requested that external lighting be avoided or kept to a minimum wherever possible.

Effect of planning permission:

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

(1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).

(2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.

(3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.

(4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.

(5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

Right of appeal against planning decisions:

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision. The official Appeal Notice Forms are available on the States of Guernsey website at www.gov.gg/planningpanel and must be completed with all enclosures in multiples as requested and received within the six months deadline.

Copy of representations made:

In reaching this decision the Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

Other Remarks:

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services (highways@gov.gg) for further advice. You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with their requirements.

This document is not a Building Licence and confers no approval under the Building Regulations.

A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2021/1508
Property Ref: D006230000
Valid date: 06/08/2021
Location: Les Valleees Les Petites Valleees Castel Guernsey GY5 7DR
Proposal: Change of use of agricultural land to domestic garden (382sqm).
Demolish conservatory and pool house. Replace roof, install dormers and rooflight and reconstruct chimneys. Extend and alter at ground, first and second floor level to south (rear) elevation and alterations to fenestration. Install swimming pool and terrace area, re-grade land and install solar collectors.

Applicant: Mr & Mrs B Thomas

RECOMMENDATION - Grant: Planning Permission with Conditions:

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law,

2005.

INFORMATIVES

Your attention is drawn to the Animal Welfare (Guernsey) Ordinance 2012 and the local Strategy for Nature and the need to comply with their provisions. The existing building may be used by bats or other wildlife for roosting and nesting. Measures may therefore need to be taken (including consideration of the timing of the works and provision to support wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted on 07781 166924 or email societe@cwgsy.net

Your attention is brought to the issue of avoidable light pollution and its effects on the natural environment and associated wildlife. The existing landscape is not currently subject to extensive artificial lighting and it is therefore requested that external lighting be avoided or kept to a minimum wherever possible.

OFFICER'S REPORT

Site Description:

The property known as 'Les Valleees' is a two storey pre-1900's dwelling with a one and a half storey wing on the northeast elevation, the wing is possibly from the mid-18th century. The dwelling is set back from and faces northwest onto Les Petites Valleees, Rue des Valleees runs along the northeast boundary. The whole site falls away from the northeast to the southwest some 12m or so. To the rear of the property is a swimming pool and beyond in the south east corner of the site is a fenced paddock, presently housing sheep. At present the domestic curtilage includes the front garden and winds around the swimming pool and back to the house. The property is located Outside of the Centres and is within the Agriculture Priority Area as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.
Agricultural use class 28: agriculture.

Brief Description of Development:

Change of use of part of the agricultural land to domestic garden (382sqm).
Demolish conservatory and pool house. Replace roof, install dormers and rooflight and reconstruct chimneys. Extend and alter at ground, first and second floor level to south (rear) elevation and alterations to fenestration. Install swimming pool and terrace area, re-grade land and install solar collectors.

Relevant Policies of any Plan, Subject Plan or Local Planning Brief:

GP8: Design
GP9: Sustainable Development
GP13: Householder Development
GP15: Creation and Extension of Curtilage

Representations:

La Societe Guernesiaise.

In respect of this application, we would like to highlight that buildings of this type can be used by roosting bats. This likelihood can increase when the property is located within a variable landscape with habitats such as large gardens or woodland nearby.

We would recommend that the buildings be inspected for current or recent use by bats or other wildlife by a suitably qualified person prior to any demolition or building works. This would reduce the risk of disturbing or destroying animals which are protected under the Animal Welfare Ordinance 2012. It would also be beneficial to include suitable measures to support roosting bats and nesting birds within the development proposal.

We would request that, if this application is approved, an informative note be added to the Information Sheet as follows -

'Your attention is drawn to the Animal Welfare (Guernsey) Ordinance 2012 and the local Strategy for Nature and the need to comply with their provisions. The existing building may be used by bats or other wildlife for roosting and nesting. Measures may therefore need to be taken (including consideration of the timing of the works and provision to support wildlife in the long term) to ensure that protected species are not impacted by the works. It is recommended that you contact La Société Guernesiaise for advice or to arrange a site visit. La Société can be contacted on 07781 166924 or email societe@cwqsy.net

We would also highlight the environmental impact of light pollution on many types of wildlife such as birds, bats and insects. Such pollution can be particularly problematic when introduced into a landscape where sources of artificial light are relatively sparse. This part of the island has recently been shown to support a number of bat species.

We would request that, if this application is approved, an informative note be added to the Information Sheet as follows -

'Your attention is brought to the issue of avoidable light pollution and its effects on the natural environment and associated wildlife. The existing landscape is not currently subject to extensive artificial lighting and it is therefore requested that external lighting be avoided or kept to a minimum wherever possible'

Consultations:

None.

Summary of Issues:

- Design of the development.
- Impact of the development on the character and appearance of the area.
- Impact of the development on neighbouring properties.

Assessment against:

1 - Purposes of the law.

The objectives of the Law, as set out in Section 1(2), have been considered and this forms part of the assessment of policy issues as set out in 2 below.

2 - Relevant policies of any Plan, Subject Plan or Local Planning Brief.

The 382sqm of land to be included in the domestic curtilage would square off the land so that the domestic curtilage reaches the sheep paddock to the southeast, creating a rectangle of domestic curtilage; rather than the jagged shaped, multi-levelled patch of unusable agricultural land that exists. The paddock has been fenced and no boundary features would be changed. In this instance, due to the shape and size, the change of use is not considered to have unacceptable detrimental impacts on the landscape character of the area.

The conservatory and pool room are relatively new additions to the property and their removal is thought to be acceptable.

The main dwelling, although pre-1900, is not worthy of protection because it has been altered over time, losing many original features. Therefore, the proposals to create second floor accommodation by re-roofing, re-building the chimneys and installing three dormers windows to the rear elevation, and rooflights to the front and back, are all considered to be appropriate alterations to give the occupiers more flexible & adaptable accommodation.

The scale and massing of the new rear extension, which would "infill the 'missing corner' and 'square off'" the main dwelling, is not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will it have any detrimental impacts on any of the neighbouring properties.

Holistically, the proposals achieve a good standard of design, using materials which complement the existing materials. Externally, the proposals include a new patio around the rear of the property, with steps leading down (1.4m) to a newly positioned swimming pool with surrounding hardstanding and further steps to the west leading down to a lower level grassed area, and other steps to the east leading up to the existing pergola.

The external proposals are considered to be of an appropriate scale to the size of the dwelling and are not considered to have minimal impacts on the character of the landscape.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

3 - General material considerations set out in the General Provisions Ordinance.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application. Where relevant the issues are considered in section 2 above.

4 - Additional considerations (for protected trees, monuments, buildings and/or SSS's).

The proposal would have no impact on Protected Buildings, Trees or Monuments or on SSS's.

Date: 19/05/2021